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ABSTRACT

To heighten student awareness about sex equity issues and to equip students with information for legal remedies are the goals of this curriculum guide. Each lesson in the unit contains objectives, materials, and procedures. The unit is divided into three sections, each with lessons appropriate for sixth, seventh, and eighth grade levels. Students are introduced to the unit through a sex equity awareness lesson designed to raise their consciousness about sex discrimination. Five lessons on the sixth grade level provide procedures to develop an understanding of Title IX and to recognize discrimination based on sex. Four seventh grade lessons have students challenge stereotypical thinking about equity issues and identify and apply problem solving steps to equity-related situations. Eighth graders learn about Title IX and its relationship to the Civil Rights Act of 1964 and the Equal Pay Act of 1983. The appendix includes discrimination laws and Title IX cases. References and a list of resource organizations are provided. (SM)

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PROJECT EQUITY

A Curriculum Supplement
of
Lessons on Sex Equity

for Middle School Programs in Law-Related Education

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PROJECT EQUITY

A

CURRICULUM SUPPLEMENT

OF

LESSONS ON SEX EQUITY

FOR MIDDLE SCHOOL PROGRAMS

IN LAW RELATED EDUCATION

Prepared Under The Supervision Of The
LAW AND EDUCATION UNIT
DIVISION OF STATE AND FEDERAL PROGRAM

St. Louis Public Schools

by

DOLORES B. MALCOLM, COORDINATOR

with

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Funded under Women's Educational Equity Act 1983-1984

January, 1985

Preface

In 1983 the Women's Educational Equity Act Program (Department of Education) funded Project Equity in the St. Louis Public Schools. This pilot project enabled middle school students to acquire knowledge about sex equity issues as well as understand the importance of becoming more involved in making decisions, laws, and rules to effect a more equitable society.

The broad goals of the project were to:

(1) Develop in middle school students sensitivity to and knowledge about such sex equity issues as discrimination, bias, and stereotyping that affect their lives; equip them with information about legal remedies like Title IX, so that they can develop strategies to overcome these inequities, emphasizing correlation to Basic Essential Skills Test (BEST) Government/Economics competencies;

(2) Motivate students to become more involved in making laws and rules that affect women and girls' social, economic and cultural well-being; and

(3) Alert administrators to inequities that may exist in their school environments and help them develop strategies for correcting inequitable attitudes and practices.

The project was coordinated by Dolores B. Malcolm with the educational expertise of sixth, seventh, and eighth grade social studies teachers, instructional coordinators, and administrators in ten middle schools in St. Louis. Those schools were:

Blewett Middle	Mason Middle
Blow Middle	Stevens Middle
Dewey Middle	Stowe Middle
Ford Middle	Simmons Middle
L'Ouverture Middle	Webster Middle

The lessons were piloted in social studies classrooms in the above mentioned schools but counselors, librarians, and other content area teachers also incorporated the equity concepts into their curriculum.

Acknowledgments

Project Equity lessons were written and adapted by the coordinator, Dolores B. Malcolm, and the curriculum consultant, Margaret Solomon, with legal review by Teri Engler. The typing and graphic arrangements were done by Arma Manning, secretary in the Law and Education Unit.

A National Advisory Board for Project Equity, Edna Whitfield, St. Louis Public Schools Social Studies Curriculum Supervisor, and Gail Marshall, Project Evaluator, reacted to the lesson plans and provided constructive criticism and advice.

The Law and Education Unit staff, under the leadership of Linda Riekes, provided ongoing assistance. Lynn Beckwith, Jr., Executive Director of State and Federal Programs provided the motivation to strive toward excellence.

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Curriculum-Expanding Ideas

PROJECT EQUITY LESSON

AWARENESS LESSON

An awareness of what is meant by gender or sex equity is necessary before formal lessons can begin. Awareness and understanding of sex equity will provide the students with background on the issue and help them to open up to instruction. Since students in Grades 6-8 have preconceived values, these should be brought out in order to make them receptive to the project's objectives. They must be aware of the obsolete model of Cinderella and Superman if they are to become individuals unprejudiced by gender distinctions.

The use of the awareness lessons will be determined by the knowledge level of the students and/or teachers. Some teachers used one lesson while others needed several. They are applicable for any middle school grade level.

LAW-RELATED LESSONS

The state of Missouri mandates the Basic Essentials Skills Test (BEST) for all Grade 8 students which contains three sections: Reading/Language Arts, Mathematics; and Government/Economics. Each lesson in this guide is correlated to a BEST Government/Economics objective. In addition, lessons are correlated to the Law In Action textbook series, used by the St. Louis Public School students in grades 6 through 8. The graded grouping of the lessons is based on the current organization of the Law In Action textbooks. The Grade 6 text is Lawmaking; Grade 7 text is Juvenile Problems and the Law; and the Grade 8 text is Courts and Trials. Thus, the lessons provide for greater mastery of government/economics objectives of the BEST and also may be incorporated into the existing curriculum.

DEFINITIONS

ROLE	A behavior pattern typically expected of people who share a common characteristic.
SEX AFFIRMATIVE	Providing special assistance to one sex so she or he may benefit from the same opportunities as the other sex.
SEX BIAS	Behaviors resulting from the assumption that one sex is superior or inferior to the other.
SEX DISCRIMINATION	Any action which limits or denies a person or a group of persons opportunities, privileges, roles, or rewards on the basis of their sex.
SEX EQUITY, SEX-FAIR	Treating both sexes in the same manner.
SEXISM	The collection of attitudes, beliefs, and behaviors which result from the assumption that one sex is superior or inferior to the other sex.
SEX-ROLE SOCIALIZATION	The differential processes and experiences used to prepare males and females for the roles that society defines as being appropriate for their sex.
SEX STEREOTYPING	Attributing behaviors, abilities, interests, values, and roles to a person or group of persons on the basis of their sex.
STEREOTYPE	Conforming to a fixed or general pattern; a standardized mental picture that is held for members of a group.
TRADITION	The handing down of information, beliefs, and customs by word of mouth or by example from one generation to another without written instructions; an inherited pattern of thought or action; cultural continuity in social attitudes and institutions.

BASIC ESSENTIAL SKILLS TEST:

GOVERNMENT/ECONOMICS OBJECTIVES

1. The student will understand what the term "democracy" refers to and understand basic democratic values, such as liberty, equality, justice, rule of law, peace and order, and consent of the governed.

2. The student will understand processes of making, enforcing, and interpreting law in the United States.

3. The student will understand what rights are guaranteed to American citizens.

4. The student will recognize that in the United States some limits are placed on individual rights and freedoms for the purpose of protecting the interest of society and the rights of other citizens.

5. The student will understand basic responsibilities of citizenship in our democratic system and how citizens may influence the government.

6. The student will understand the roles of various government officials, of people who lobby to influence the government, of others vested with authority, and of people who work within the legal system with whom students may come into contact.

7. The student will understand basic factors related to the production of goods and services.

8. The student will understand and be able to apply basic information about how private business functions in the United States.

9. The student will understand and be able to apply basic information about how the government functions in the U.S. economy.

10. The student will predict how one change in an economy will result in other changes.

11. The student will be able to use rational thought processes when making simple, personal economic decisions.

12. The student will recognize the rights and responsibilities of consumers.

13. The student will have basic understanding related to the use and handling of money and to simple personal investments.

AWARENESS LESSON

LESSON TITLE: "At Home and At School"

INTENDED GRADE LEVEL: Grade 6, 7, 8

OBJECTIVE: To define sex equity by analyzing household and school tasks; to alert students to how and why sex role stereotyping can determine roles and responsiblities.

MATERIALS:

- Chalkboard, chalk
- Lined paper (manila paper, optional)
- At Home and At School list

PROCEDURE:

(1) Discuss with students what a "chore" or "task" is. Have them name some chores or tasks performed at home as you list them on the board. (See At Home and At School list for suggestions.)

(2) Go back over the lists and ask students who performs these jobs at home

a) man, husband/father b) son

c) woman/wife/mother d) daughter

(3) Discuss "Are there any of these jobs that only a man, woman, boy, or, girl could do? Are there some jobs boys/men are better at? What about girls, women?" Elicit response that everyone could do all of them.

(4) Have students name some school chores that are performed during a normal day.

(5) Pass out lined paper and have students number from 1 to 20. Call off "School Chores" list and have students put "B" (Boy), "G" (Girl), or "E" (Either) on lined paper when they decide which person they think could do the job.

(6) Students should total number of B's, G's, and E's when list has been read.

(7) Tally answers on board by sexes and discuss reason E is correct for all answers. (Because of Equity-equal opportunity for boys and girls to do any job they'd like to do.)

"AT HOME AND AT SCHOOL"

HOUSEHOLD TASKS

1) Preparing breakfast
2) Making bed
3) Carrying out garbage
4) Mowing the lawn
5) Washing dishes
6) Washing clothes
7) Ironing
8) Chauffeuring kids
9) Grocery shopping
10) Scheduling doctor/dentist appointments for children
11) Paying bills
12) Figuring out income tax
13) Washing car
14) Preparing dinner
15) Vacuuming
16) Interior painting
17) Exterior painting
18) Splitting firewood
19) Trimming trees and bushes
20) Shoveling snow
21) Buying clothes
22) Disciplining children
23) Driving the car on family outings
24) Minor house repairs (i.e., electrical, mechanical)
25) Determining menu
26) Taking child to doctor/dentist
27) Calling babysitters
28) Planting flowers
29) Clearing the table
30) Going to PTA

SCHOOL CHORES

1) Washing chalkboard
2) Taking attendance
3) Carrying lunchroom trays
4) Pumping air into balls
5) Lunch count
6) Carrying audio-visual equipment
7) Collecting attendance
8) Cleaning erasers
9) Making refreshments for party
10) Cleaning up after party
11) Writing on chalkboard
12) Office monitor
13) Lunchroom worker
14) Watering plants
15) Paper monitor
16) Keys monitor
17) Moving furniture
18) Running audio-visual equipment
19) Cleaning furniture
20) Emptying trash can

FOLLOW-UP:

(1) Discuss jobs outside home.(Accompanying list) and have students mark a sheet in same manner deciding whom they think could perform the job.

(2) Discuss students' choices and point out the reasoning behind having a choice (You have the right to select). Discuss jobs they'd like to do and the traditional or non-traditional aspect of them.

JOBS OUTSIDE HOME

Below is a list of 20 jobs that women and men can pursue. Have the students circle the ones in which they would be interested.

When the students have finished, try to create a class profile of what jobs the class feels are for boys, for girls or for both.

Compare your class profile with another class of the same grade level. Share the results of the comparison with students in both classes and with other teachers.

Hairstylist	Father
Scientist	Secretary
Firefighter	College Professor
Nurse	Child Care Worker
Doctor	Carpenter
Bank President	Mother
Auto Worker	TV Repairer
Clothes Designer	Computer Deisgner
Bulldozer Operator	Typist
Office Manager	Police Officer

Taken from: A Packet of Elementary Classroom Activities to Teach Students About Sex Role Stereotyping

AWARENESS LESSON

LESSON TITLE: "My Job Is....."

INTENDED GRADE LEVEL: Grade 6 - 8

OBJECTIVE: To bring about an awareness of changing roles of women in occupations.

MATERIALS:

- Magazines
- Newspapers
- Scissors, glue, paper

PROCEDURE:

(1) Ask students to locate pictures, articles, or ads that depict women in non-traditional jobs (for example as a construction worker).

(2) Students will paste the pictures, articles and/or ads on a paper in collage style.

(3) They will select 3-4 articles or pictures and write a few sentences telling why the woman might have chosen that occupation.

(4) Pictures may be placed on bulletin board and used as a springboard for discussion.

AWARENESS LESSON

LESSON TITLE: "Birth Announcement"

INTENDED GRADE LEVEL: Grade 8

OBJECTIVE: To explore the issue of sex role stereotyping; to employ decision-making skills in situations.

MATERIALS:

- Worksheet #1-A
- Worksheet #1-B
- Paper, pencil

PROCEDURE:

(1) Divide the class into partner groups. (Male-female partners preferable but if there is an odd person then make a larger group of three.)

(2) Distribute the daughter announcement to half of the groups and the son announcement to the other half. (Attachment)

(3) Ask the partners to complete the sheet showing how the typical girl or boy will grow up. One person can serve as a recorder.

(4) After completion of the sheet, reconvene into whole class group and report responses.

(5) Note (on chalkboard) stereotypes in areas of:

(a) name (boy-named after father)

(b) toys (i.e. boys/football, girls/doll)

(c) subjects (boys/mathematics, girls/reading)

(d) feeling (girls/cry); (boys/fight)

(6) Discuss the sameness of answers and why the students feel they are so much alike. Discuss what the concept of stereotyping (See Definitions)means and then is it true? Do they want it to continue? Why? Why not?

(7) Go back over the answers and discuss changes that could be made to break down stereotyping and promote sex equity.

WORKSHEET #1-A

JOHN AND ANNABELLE SAMSON

ANNOUNCE THE BIRTH OF THEIR DAUGHTER

1. Give her a name.
2. Buy her some toys.
3. Describe the games she plays.
4. Describe her hobbies.
5. Name her favorite subjects in school.
6. Describe her favorite kinds of books.
7. Name three things she would wish for.
8. Name three famous people she admires.
9. What does she want most for a pet?
10. Describe how she shows her feelings.
11. Plan her vocation/career.
12. What does she do for fun?
13. How old will she be when she marries? Why?
14. What will she do to make other people respect her?

EMENT''

WORKSHEET #1-B

JOHN AND ANNABELLE SAMSON

ANNOUNCE THE BIRTH OF THEIR SON

1. Give him a name.
2. Buy him some toys.
3. Describe the games he plays.
4. Describe his hobbies.
5. Name his favorite subjects in school.
6. Describe his favorite kinds of books.
7. Name three things he would wish for.
8. Name three famous people he admires.
9. What does he want most for a pet?
10. Describe how he shows his feelings.
11. Plan his vocation/career.
12. What does he do for fun?
13. How old will he be when he marries? Why?
14. What will he do to make other people respect him?

AWARENESS LESSON

LESSON TITLE: "Predicting the Future"

INTENDED GRADE LEVEL: Grade 6, 7, 8

OBJECTIVE: To define "stereotype" by example to make students aware of values as they relate to equity issues.

MATERIALS:

- Photo of boy and girl (large) or photo of several children. (Preferably a multi-ethnic picture.)
- Pen, paper.
- "Predicting The Future Questions".

PROCEDURE:

(1) Display the picture(s) where all students can see them.

(2) Have each student select one person from the picture as a pretend friend for whom they will predict the future.

(3) Distribute or write the "Predicting the Future Questions" to guide students in their writing assignment:

(a) Will your friend be married?

(b) Will your friend have a family?

(c) What will your friend be?

(d) Will your friend have a job?

(e) How much money will he or she make?

(f) What will your friend do with his or her leisure (free) time?

(g) What interests or hobbies will your friend have?

(h) Do you think your friend will have any problems? If so, what problems?

(Students may write the prediction in paragraph form).

(4) Have students share predictions out loud with class.

(5) Discuss meaning of word "stereotype" and point out statements as they are mentioned. (For example - "My girlfriend will be a nurse when she grows up."

(6) Ask students to point up personal examples to contradict these stereotypes.

Curriculum-Expanding Ideas

Sixth Grade

LESSON TITLE: "Writing Law"

INTENDED LEVEL: Grade 6

BEST OBJECTIVE 2: Understand the processes of making, enforcing, and interpreting law in the United States.

EQUITY OBJECTIVE: Students will be able to explain Title IX and responsibilities they have under it.

GOAL: To develop an understanding of written laws by rewriting them.

MATERIALS:

- Student Guide To Title IX
- Pencil, paper
- Lawmaking - Lesson 2

PROCEDURE:

(1) Read and discuss individually the rights under Title IX from "Student Guide" pages 3 to 9. The students may use examples from the guide for a clearer understanding.

(2) Ask the students to condense the rights into one sentence that will be workable, concise, clear and able to be enforced. (For example: Title IX guarantees that students have the right to take any class they wish and be treated equally in that class.)

(3) Discuss situations in which these rights apply and ask students to relate personal school experiences for each right.

(4) Display the rights around the room.

FOLLOW-UP:

Collect other rules that may be rewritten.

LESSON TITLE: "The Perfectly Equitable Place"

INTENDED GRADE LEVEL: Grade 6

BEST OBJECTIVE 2: Understand the processes of making, enforcing, and interpreting laws in the United States.

EQUITY OBJECTIVE: Students will be able to recognize and develop sex equitable laws that are workable.

GOAL: To make students aware of how to write workable rules.

MATERIALS:

- Lawmaking - Lesson 6
- Pencils, paper
- Chalkboard, chalk

PROCEDURE:

(1) Review the following concepts from Lesson 1-6 in Lawmaking

(a) What laws are - Page 9

(b) Why we have them - Page 14

(c) Who makes laws - Pages 12-13

(d) How to write workable rules and/or laws - Page 5

(2) Discuss what the word "perfect" means. Review meaning of the word "sex equity" (equal opportunity for boys and girls).

(3) Divide class into small groups with a recorder per group and have them write rules that will ensure that boys and girls are treated equally or have equal opportunity at each of the following places or events:

(a) classroom

(b) schoolyard

(c) lunchroom

(d) home

(e) stores

(f) movies

(g) library

(h) sports event

REMIND STUDENTS THAT RULES MUST BE WORKABLE.

(4) Have spokesperson share groups' ideas with the class.

(5) Discuss rules for same place that may be worded differently.

FOLLOW-UP:

Design a bulletin board, "The Perfectly Equitable Place," with various areas shown and write rules that apply on strips to be posted in proper place.

LESSON TITLE: "Closing The Street"

INTENDED GRADE LEVEL: Grade 6

BEST OBJECTIVE 2: Understand the process of making, enforcing and interpreting law in United States.

EQUITY OBJECTIVE: Students will be able to recognize discrimination based on sex or gender.

GOAL: To have students analyze rules and laws for fairness.

MATERIALS:

- Transparency or copy of attached picture.
- Pen, paper
- Lawmaking - Lesson 2
- Chalk, chalkboard

PROCEDURE:

(1) Display transparency or post a copy of sign "THIS STREET IS CLOSED TO GIVE BOYS A PLACE TO PLAY."

(2) Ask students to brainstorm the names of who might use the street if it were not closed.

(3) Pretend that a meeting has been called to discuss whether or not the street closing is a good rule. Have students role-play the meeting. They may choose to be one of the following:

(a) school principal
(b) parent of two small boys
(c) parent of two small girls
(d) two girls
(e) fire fighter
(f) basketball player

(4) Select a student to be chairperson for the meeting.

(5) After discussion let each group present its opinion and ask rest of class if they would like to add anything. The groups may even present their play to the rest of the class.

(6) Have the entire class rewrite the rule so that it is agreeable to all concerned. Use the guidelines needed to make workable rules on pages 4-7 in Lawmaking.

FOLLOW-UP:

(1) Encourage students to design other signs that may be equity "unfair" and change to equity "fair."

(2) Assign a research activity in which the students locate data on how laws have been rewritten.

"CLOSING THE STREET"

Picture adapted from: "Living Together Under The Law" - Prepared by Law, Youth and Citizenship Program of New York State Bar Association and the New York State Education Department.

LESSON TITLE: "The Making of Title IX"

INTENDED LEVEL: Grade 6

BEST OBJECTIVE 2: Understand processes of making, enforcing, and interpreting law in the United States.

GOAL: Students will know the basic steps involved in a bill becoming a law.

MATERIALS:

- Students Guide To Title IX
- Blank chart provided in this lesson
- Posterboard or large construction paper for follow-up
- Markers; crayons
- Lawmaking - Lesson 19

PROCEDURE:

(1) Discuss the reasons that Title IX was enacted. See Student Guide pages 2-3.

(a) Students couldn't explore all careers

(b) Students couldn't choose a class they were really interested in

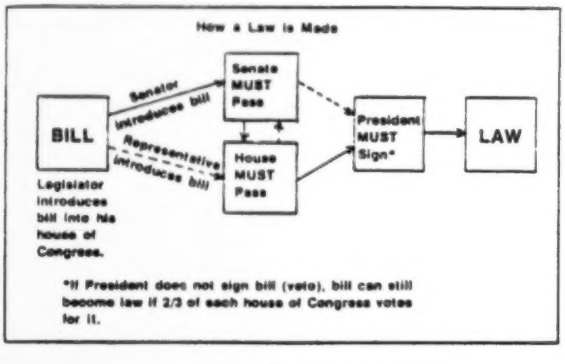
(c) Students weren't aware they could join an after-school activity

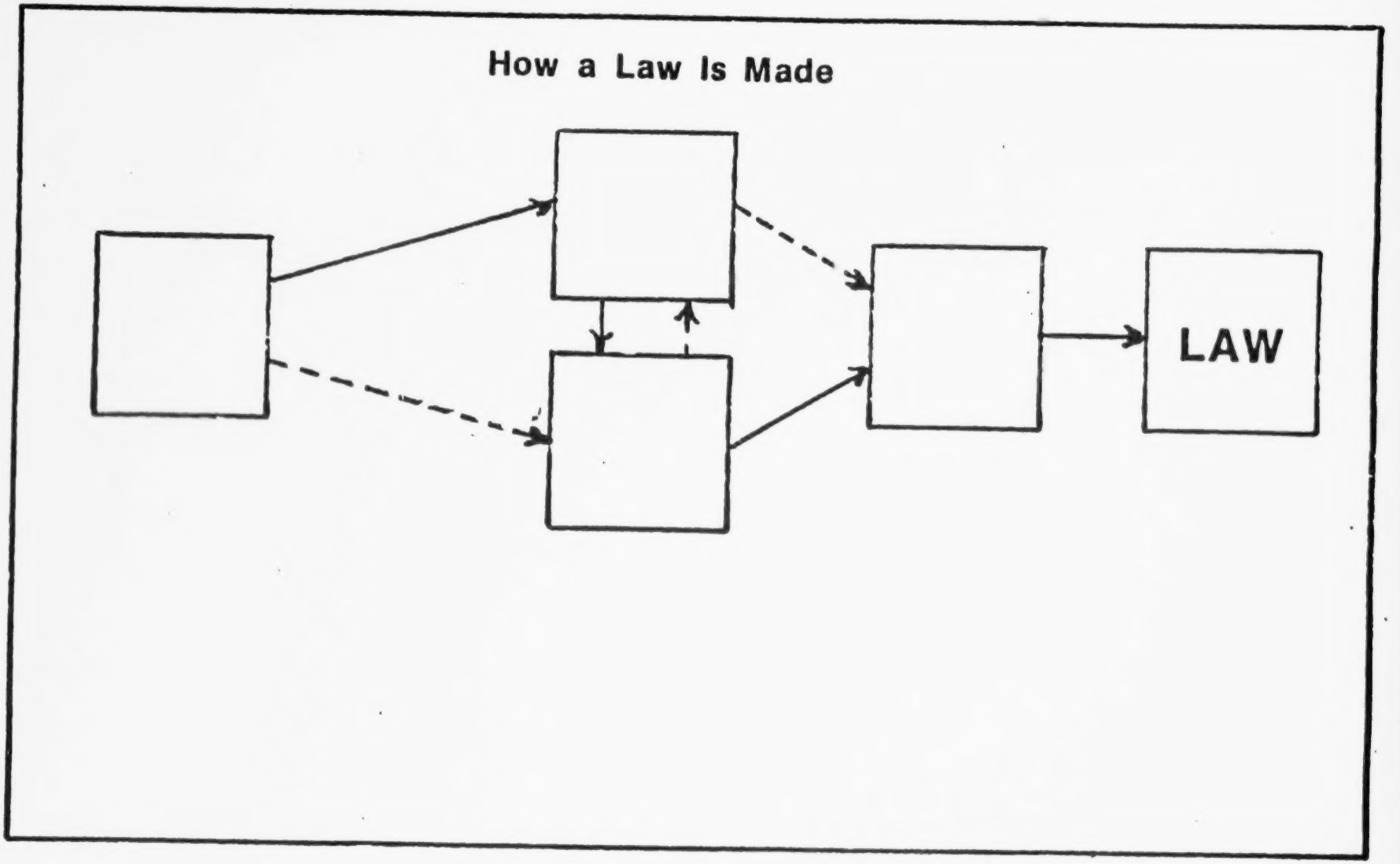
(d) Students didn't think they could apply for scholarship in certain areas

(2) Review process of "A Bill Becomes A Law" from Lawmaking text Lesson 19.

(3) Provide students with blank chart and fill in chart as Title IX is outlined step-by-step. (See completed chart at bottom of page.)

(4) Students may perform a skit on "Making of Title IX into a Law" substituting facts about Title IX in appropriate places (Lawmaking - pages 77-84)


How a Law is Made
BILL
Senator introduces bill
Representative introduces bill
Senate MUST Pass
House MUST Pass
President MUST Sign*
LAW
Legislator introduces bill into his house of Congress.
*If President does not sign bill (veto), bill can still become law if 2/3 of each house of Congress votes for it.



"THE MAKING OF TITLE IX"

LESSON TITLE: "What Do You Think"

INTENDED LEVEL: Grade 6

BEST OBJECTIVE 6: Understand the roles of various government officials, of people who lobby to influence the government, of others vested with authority, and of people who work within the legal system with whom students may come into contact.

EQUITY OBJECTIVE: To discuss government career choices available to both males and females.

GOAL: To identify the roles of government officials and recognize that persons of either sex may carry out most jobs.

MATERIALS:

- Student worksheet in this lesson
- Pen or pencil
- Lawmaking text - Lesson 16
- Newspaper

PROCEDURE:

(1) Ask students to scan the newspaper* and locate jobs that are associated with government. List the positions on the board and discuss the kind of work involved in those jobs.

(2) Pass out the worksheet to all students and point out jobs that were found in the newspaper. Let students complete the worksheet marking who could do the job.

(3) Go over jobs and discuss answers to arrive at the conclusion that both men and women can do all of the jobs.

FOLLOW-UP:

(1) Divide class into groups and assign a collage or bulletin board activity of law-related non-traditional jobs.

(2) May be used as follow-up to "At Home Or At School" lesson in Awareness section.

(3) Hold a "Guess Who" day in which students bring props of an occupation and explain why they can qualify for the job and what skills are needed.

(4) Have students work with the librarian or other resource person or tool (computer) to research trends in sex equity for jobs listed on the worksheet.

*NOTE - Social studies teacher in St. Louis Public Schools receive a weekly set of newspapers.

STUDENT WORKSHEET

"What Do You Think?"

Name _____

Look at the job title listed below.

Put W next to jobs you think Women do.

Put M next to jobs you think Men do.

Put B next to jobs you think Both Men and Women do.

_____attorney	_____judge
_____President	_____governor
_____Supreme Court Justice	_____ambassador
_____law student	_____councilperson
_____senator	_____alderman
_____representative	_____cabinet member
_____lobbyist	_____mayor

Curriculum-Expanding Ideas

Seventh Grade

*Since Juvenile Problems and the Law is a textbook which primarily deals with juvenile rights and responsibilities some of the lessons contained within this grade level focus on decision-making in equity-related situations.

LESSON TITLE: "Name Me"

INTENDED LEVEL: Grade 7

BEST OBJECTIVE 3: Student will understand what rights are guaranteed to American citizens.

GOAL: To enable students to identify persons involved in a juvenile hearing and analyze stereotyped expectations.

MATERIALS:

- Juvenile Problems and Law - Lessons 11, 12
- Character sheets (attached)
- Pen, paper

PROCEDURE:

(1) Review Lesson 11 with the students to familiarize them with the juvenile court process and the vocabulary associated with this process.

(a) juvenile - a young person; not yet an adult.

(b) deputy juvenile officer - person who assists with casework services required in juvenile court.

(c) victim - person against whom a criminal act is committed.

(d) juvenile "intake" officer - person who processes.

(e) detention worker - person who works in juvenile detention center.

(f) lawyer - an attorney who either defends or prosecute.

(g) juvenile court counselor - person who studies special circumstances and background of each juvenile.

(h) juvenile judge - judge selected to serve as judge of juvenile court.

(2) Encourage students to write a play with characters whose responsibilities are given on sheet. The students are to assign a first and last name to each character.

(3) Using the chart, "Name Me," they are to place an "X" on the line to identify the sex of the chosen characters (revealed by their names). Complete the total for male column and female column.

(4) Study "X's" in boxes and total scores and discuss students' expectations. Compare expectations about sex roles among students by taking a poll of everyone by raising hands in answer to questions, "How many chose a male character? How many chose a female character?" Ask this question for each role in the play. Ask students to complete the statement called for. Discuss answers.

FOLLOW-UP:

(1) Perform the play reversing the sex role stereotypes and discuss results with the students.

"NAME ME"

Write the name of your characters on the line and place an "X" in the box to identify the sex of the character you chose. Complete the total for male and female columns.

	NAME	MALE	FEMALE
(1) Juvenile			
(2) Deputy Juvenile Officer			
(3) Victim			
(4) Juvenile "Intake" Officer			
(5) Detention Worker			
(6) Lawyer			
(7) Juvenile Court Counselor			
(8) Juvenile Judge			
TOTAL		_____	_____

Do the results of the classroom poll tell you anything about sex role expectations that your classmates have? How do you think these expectations grew?

_____

_____

_____

_____

LESSON TITLE: "Putting Yourself in the Other Person's Shoes"

INTENDED LEVEL: Grade 7

BEST OBJECTIVE 5: Understand the basic responsiblities of citizenship in our democratic system and how citizens may influence the government.

GOAL: To enable students to look at situations from different viewpoints and to select fair and unfair statements.

MATERIALS:

- Juvenile Problems and Law - Lesson 4
- Pen, paper or chalkboard, chalk
- Student worksheet in this lesson or chalkboard

PROCEDURE:

(1) Review Lesson in Juvenile Problems and Law (pages 17-21) and discuss with students the phrase "putting yourself in the other person's shoes."

(2) Pass out the worksheet (attached) or write opening statements on board and have students complete the sentences as many times as they can.

(3) Discuss whether the different behavior is necessary. Does it promote safety, for example? Should we try to change these behaviors?

(4) Discuss behaviors from opposite sex column that student would choose to exhibit, regardless of what society says.

FOLLOW-UP:

(1) Have students write on the topic: "If I woke up tomorrow and was a (boy/girl), what problems would I have?" Discuss the compositions on the basis of fair and/or unfair assumptions.

"Putting Yourself in the Other Person's Shoes"

Complete the following sentences as many times as you can:

It's all right for boys, but <u>not</u> for girls to. . .	It's all right for girls, but <u>not</u> for boys to. . .
1.	1.
2.	2.
3.	3.
4.	4.
5.	5.

1. Circle any completed sentences that you consider unfair.

LESSON TITLE: "Finding Stereotypes"

INTENDED GRADE LEVEL: Grade 7

EQUITY OBJECTIVE: To challenge stereotypical thinking about equity issues.

GOAL: To sharpen listening and questioning skills.

MATERIALS:

- Copies of "Gender Benders" from next page
- Juvenile Problems and the Law - Lesson 3

PROCEDURE:

(1) Read attached stories aloud to class or pass out stories to groups (3) of students. Be sure to separate the answers from the stories.

(2) Students may ask questions which can only be answered by "Yes" or "No" until the group discovers the answer.

(3) This may be done in a class period students may be allowed minutes of questioning at beginning or end of class.

FOLLOW-UP:

(1) Use the appropriate questions (attached) to further discussion.

(2) Additional "Gender Benders" sheet.

Taken From: Update on Law-Related Education, Fall 1981

GENDER BENDERS

Gender Bender No. 1. A man came home early and heard his wife cry out, "John, don't do it!" A shot rang out. The man rushed into the room, saw his wife lying in a pool of blood, and three people standing over her—a lawyer, a doctor, and a chef. He ran up to the chef and said, "Why did you do it?" How did he know the chef killed his wife? (Answer: the lawyer and doctor were both women.)

Gender Bender No. 2. An Indian and the Indian's son went hunting. They killed a deer large enough for a huge feast and brought it back to the village. The son ran ahead to tell everyone of their good fortune. When he arrived, he told the chief about the deer. The chief said, "We will honor your father at the tribe's feast." The boy said, "You must not." Why shouldn't the chief honor the boy's father? (Answer: the boy's father didn't kill the deer. The boy's mother did.)

Gender Bender No. 3. A husband and wife were about to entertain the husband's parents for the first time. The wife was nervous about cooking. She had never done much, and her husband had always praised the delicious meals he had eaten at home. The wife burst into tears. She had just burned the roast. "What will your mother think," she cried. Her husband assured her not to worry about what his mother would think of her cooking. How did he know his mother wouldn't mind? (Answer: His father did all the cooking; his mother was a terrible cook.)

FOLLOW-UP

Gender Bender No. 1. For follow-up, explore these professions and how to prepare for them. Ask the class to brainstorm on why women are not identified with any of these professions. List adjectives to describe lawyers, doctors, and chefs. Might these adjectives apply to women as well as men?

Gender Bender No. 2. As a follow-up, long-term class assignment, have individuals collect data on the roles of women in other societies, past and present.

Gender Bender No. 3. As a follow-up, the class might list the jobs that need doing in a home and take a survey of who is responsible for those jobs in their homes. A beginning list might include earning money, purchasing food, preparing food, caring for children, cleaning, doing laundry, and making repairs. Compare and contrast results. What factors explain similarities and differences? What family members seem to be primarily responsible for the welfare of the family?

(A) A father drives his son to a football game. On the way, they are involved in an automobile accident, and the father dies. An ambulance is sent for the son, and he is taken to a nearby hospital. He is admitted to the emergency room, but the doctor on call refuses to operate.

Question: Why did this doctor refuse to operate?

Answer: The doctor on call is the mother of the boy and is prevented from operating on her son. Hospital rules do not permit doctors to operate on their relatives, as it might interfere with their personal judgment.

(B) A man walks up to his house and hears his wife scream, "John, don't do it." He finds his wife dead in a pool of blood, surrounded by three people. One is a doctor, the other a lawyer, and the third a milkman. The husband of the murdered woman grabs the milkman and says, "You did it!"

Question: How did the husband know who the murderer was?

Answer: Only the milkman could have been named John, since the other two individuals—the lawyer and the doctor—were women.

(C) A woman entered the French Museum of Literature with some valuable and authentic documents written by George Sand. "I am Marie Sand, George Sand's great-niece," she exclaimed. "I wish to sell some of his documents." The museum curator asked her to wait while he verified the purchase with the museum's executive director. In another

room he called the police to report that a woman was presenting him with stolen documents. The police soon arrived and placed the woman under arrest for the robbery of these documents.

Question: How did the curator know that the woman was a fraud?

Answer: George Sand was the pen name of the famous French writer Amandine Aurore Lucie, barone Dudevant. The curator knew that George Sand was not her real name and therefore would not have had a great-niece by the name of Sand. In addition, the curator knew that this woman was a fraud because she thought George Sand to be a man.

Follow-Up Activities for Gender Bender Problems

1. Are there occasions in which a doctor/lawyer should refuse to accept a case because of some personal attachment to the patient/client?
2. Are there certain jobs you associate with men? With women?
3. Are there certain kinds of crimes you associate with men? With women?
4. For what purposes might someone take an assumed name?
5. How do you feel about preferential treatment for women and other minorities to rectify years of discrimination against them?

LESSON TITLE: "Problem-Solving"

INTENDED GRADE LEVEL: Grade 7

EQUITY OBJECTIVE: Students will be able to identify and apply steps in problem solving to equity-related situations.

GOAL: To help students develop ways of handling problems.

MATERIALS:

- Juvenile Problems and Law
- Pencils, paper
- Chalkboard
- Problem sheets

PROCEDURE:

(1) Review Lesson 1, Juvenile Problems and Law, (pp 1-3).

(2) Discuss the word "problem" and how to go about solving one.

(a) identify

(b) develop plans

(c) rank ideas

(d) solve (choosing the one best solution)

(3) Read situations below and allow students in small groups or individually to write solution(s) to each problem situation.

(a) In my class, the teacher asks girls only to pass out papers. I think the teacher favors girls and it really makes me mad. I'd like to tell the teacher exactly what I think, but I'm a little afraid of him. I'm going to _____.

(b) My new boyfriend pays my way to everything. Even though I would like to pay my share. I want us to be equals, but he wants to be "Macho." Now he wants to buy me a sweater. I want to tell him how I feel but I'm afraid I'll hurt his feelings. Should I risk losing him? I don't want the sweater. What should I do?

(c) In my social studies class we never study about what women did to help America grow. It really makes me feel left out as a girl. I'm going to _____.

(d) I'm a boy and I'd like to be a ballet dancer when I grow up. My dancing teacher says I have talent. When kids or adults ask me what I want to be when I grow up, they sometimes laugh when I tell them. I know lying is wrong, but I feel like not telling them the truth. What should I do?

(4) Write solutions on board that students call out. Discuss why they think it is the best one solution.

(5) Have students rank the solutions, placing the one they think is best number one, and so on. Note highest ranking ones and ask students to compare individual ranking with class ranking.

FOLLOW-UP:

(1) Ask students to think of problems or collect advice column articles and rank their solutions to the problems.

Curriculum-Expanding Ideas

Eighth Grade

LESSON TITLE: "What is Equity? What is Title IX"?

INTENDED GRADE LEVEL: Grade 8

BEST OBJECTIVE 1: Understand what the term "democracy" refers to and understand basic democratic values, such as liberty, equality, justice, rule of law, peace and order, and consent of the governed.

EQUITY OBJECTIVE: To introduce sex equity and Title IX through BEST related vocabulary.

GOAL: To review BEST related vocabulary and to familiarize students with Title IX guidelines.

MATERIALS:

- Copies of cheer

FIRECRACKER, FIRECRACKER: BOOM! BOOM! BOOM!
FIRECRACKER, FIRECRACKER: BOOM! BOOM! BOOM!
THE BOYS HAVE THE MUSCLES,
THE TEACHERS HAVE THE BRAINS,
THE GIRLS HAVE THE PRETTY LEGS,
AND WE WON THE GAME!

- Vocabulary words (placed on board prior to lesson)

- Student Guide to Title IX

- Chalkboard" small sheet of paper (one (1) per student)

PROCEDURE:

(1) Place these words on the chalkboard before the lesson begins.

legislate interpret enforce equity democratic/undemocratic justice/injustice fair/unfair freedom dispute law violation in compliance with

(2) Ask for volunteers to participate in an activity with the class.

(3) Select six female students to perform the cheer in role-playing situation of cheering for school basketball team's victory. (If boys raise their hands state: "I'm sorry this is for girl's only. Choose at least one student who doesn't volunteer.)

(4) Chant cheer along with students. Repeat it.

(5) Ask students to look at words on board and see if they can tell examples of any of them in the process of the selection of students, the performance of the cheer, or the cheer itself? Why or how?

(6) Explain Title IX and what it is. (Federal Law which prohibits schools from discriminating on basis of sex.) Use information in Student's Guide to Title IX as discussion material. Write rules on board as they are discussed. Discuss variances also.

(a) Right to take any class you wish and be treated equally in that class.

(b) Right to co-educational classes.

(c) Right to be treated equally.

(d) Right to participate fully in athletic-intramural programs and club sports.

(7) Discuss situations from Student Guide and ask students to tell Title IX right that is implied.

FOLLOW-UP:

(1) Basic Vocabulary Bingo (pp. 11-12) of Activity Book (Government/Economic Objectives). Use words from this lesson and let students make up situations.

LESSON TITLE: "Before Title IX"

INTENDED GRADE LEVEL: Grade 8

BEST OBJECTIVE 1C: Understand what the term "democracy" refers to and understand basic democratic values, such as liberty, equality, justice, rule of law, peace and order, and consent of the governed.

GOAL: To show the relationship of Title IX to the Civil Rights Act of 1964 and the Equal Pay Act of 1983.

MATERIALS:

- Copy of Civil Rights Act of 1964 (Attachment 1)
- Copy of Equal Pay Act of 1963 (Attachment 1)
- Paper, pen, pencil
- Copies of cases

PROCEDURE:

(1) Students read and as a class, discuss the Civil Rights and Equal Pay Acts (Attachment 1) for clarity of the facts.

(2) Divide class into four small groups. Each group will review one of the cases (see Attachment 2) and decide whether any law has been violated.

(3) Each group will present its case to the class explaining its decision.

(4) Review Title IX concepts to see which right could be matched to each case and discuss reasons.

Case 1: Right 1

Case 2: Right 4

Case 3: Right 4

Case 4: Right 4

FOLOW-UP:

(1) Ask students to rewrite the case so that laws will not be violated.

ATTACHMENT 1: "BEFORE TITLE IX"

CIVIL RIGHTS ACT OF 1964/EQUAL PAY ACT

STUDENT WORK SHEET

THE CIVIL RIGHTS ACT OF 1964 (TITLE VII) DECLARED THE FOLLOWING: ANY EMPLOYER OF FIFTEEN OR MORE EMPLOYEES CANNOT

1. REFUSE TO HIRE OR DISCHARGE ANY INDIVIDUAL OR OTHERWISE DISCRIMINATE AGAINST ANY SUCH PERSON WITH RESPECT TO COMPENSATION, TERMS, CONDITIONS OR PRIVILEGES OF HIS OR HER EMPLOYMENT BECAUSE OF SUCH PERSON'S RACE, COLOR, RELIGION, SEX OR NATIONAL ORIGIN; OR

2. LIMIT, SEGREGATE, OR CLASSIFY HER OR HIS EMPLOYEES IN ANY WAY WHICH WOULD TEND TO DEPRIVE ANY INDIVIDUAL OF EQUAL EMPLOYMENT OPPORTUNITY; OR

3. ADVERTISE IN SUCH A WAY AS TO REFLECT THE AFOREMENTIONED DISCRIMINATION.

THIS ACT DOES, HOWEVER, ALLOW EMPLOYMENT DISCRIMINATION BASED ON RELIGION, SEX, OR NATIONAL ORIGIN IF IT IS A "BONA FIDE (GOOD FAITH) OCCUPATIONAL QUALIFICATION" FOR EMPLOYMENT. THIS MEANS THAT IF AN EMPLOYER REFUSES TO HIRE A PERSON, THE REFUSAL MUST BE BASED ON A GOOD REASON THAT CAN BE DEFENDED, DIRECTLY RELATED TO THE BUSINESS. IN ADDITION, CONGRESS HAS PASSED THE EQUAL PAY ACT OF 1963, WHICH REQUIRES EQUAL PAY FOR MEN AND WOMEN IN SIMILAR JOBS WITHIN THE SAME COMPANY.

ATTACHMENT 2:

"BEFORE TITLE IX"

Case 1. Mildred Morton applies for a job as a truck driver with Johnson Brothers Furniture Company. She is refused on the basis of being a woman. The company claims that a woman could not handle the necessary loading and maneuvering of the trucks.

Case 2. Mr. Fagen was a service representative for the National Cash Register Company. The company issued employee regulations which said the "hair will be neatly trimmed and combed. The length of the hair will taper down the back of the head and terminate above the collar. This eliminates the appearance of long hair." Mr. Fagen was warned of this policy but refused to obey it. Mr. Fagen took the company to court and asked that they be ordered not to enforce this rule because it discriminated against him because of his sex (women did not have to follow it) and violated his rights to privacy.

The company argued that it was a bona fide occupational qualification "and that in the past the company had received complaints from customers because certain employees had long hair. Part of Mr. Fagen's job was to visit customers."

Case 3. Wilshed Corporation sells tools to other companies which use tools in the manufacture of products. Wilshed Corporation has 150 salespeople throughout the country - none of whom are women. They claim that the men who buy can relate better to men selling tools.

Case 4. A glass-making company paid a higher wage to an all-male night shift than it paid to women working an all-women day shift who performed the same work.

LESSON TITLE: "Fairness and Equality"

INTENDED GRADE LEVEL: Grade 8

BEST OBJECTIVE 4: Recognize that in the United States some limits are placed on individual rights and freedoms for the purpose of protecting the interests of society and the rights of other citizens.

EQUITY OBJECTIVE: To point out fairness and equality in sports with emphasis on Title IX.

GOAL: To review court process as means of resolving conflict.

MATERIALS:

- Facts on 14th Amendment, Equal Rights Act; Title IX (See Appendix)
- Discussion questions.
- Case study sheets. (On Following Pages)
- Sports and Law - Chapter 6

PROCEDURE:

(1) Discuss meaning of "fairness," "unfair," and "equality" so that students have an understanding of the terms.

(2) Ask for examples of the definitions.

(3) Review the concept that the purpose of some laws is to promote fairness. Discuss Fourteenth Amendment; Equal Rights Act; and Title IX.

(4) Read the Karen O'Connor case to the class or allow students to read the case from the Sports and Law book.

(5) Divide class into four groups and distribute a discussion question per group. Talk about the answers after a reasonable group discussion time.

FOLLOW-UP:

(1) Review the Donna Hoover case and compare it with the Karen O'Connor case by making a chart of the similarities and differences.

Case studies of Karen O'Connor and Donna Hoover

Karen O'Connor was an eleven-year-old sixth grade student at MacArthur Junior High School. She was four feet, eleven inches tall and weighed 103 pounds. For the last four years or so, Karen had successfully competed with boys in community basketball programs. She was an excellent athlete. One professional basketball coach who saw Karen play said that she was equal to or better than a female high school sophomore and equal to that of a male eighth-grade player.

MacArthur had a rule that boys and girls could play on the same team in sports, but there had to be separate boys' and girls' teams for contact sports like boxing, wrestling, rugby, ice hockey, football and basketball. One day Karen asked if she could try out for the boys' basketball team. The school principal and basketball coaches reminded Karen of their rule about separate teams in contact sports. They denied her request and encouraged her to try cut for the girls' basketball team instead.

Questions for Discussion:

1. If MacArthur let Karen play, what effect would it have on the school's team?

2. What effect would it have on Karen if she was not allowed to play on the boys' team?

3. If MacArthur let boys try out for the girls' teams, how would the girls' sports program be affected?

4. Would boys on the girls' team take away the girls' opportunities to compete in athletics? Explain your answer.

In Karen O'Connor's case, there were two school basketball teams - one for boys and another for girls. Karen was a superior athlete. She believed that she would be more challenged if she could compete against boys. The officials at MacArthur Junior High School disagreed. They argued that not many female athletes had Karen's skills, so they could compete best as members of the girls' team. Since there was a separate team for girls, they were not discriminating against Karen or any other girl unfairly by refusing to let them try out for the boys' team. Karen took her case to court but the judges agreed with MacArthur.[1]

*Taken from Sports and Law with permission of West Publishing Company.

Donna Hoover, an eleventh-grade student at Golden High School in Colorado, had a problem similar to Karen's. Donna was 16 years old. She was 5'4" tall, weighed 120 pounds, and was in great physical condition. Her high school had a varsity soccer team that competed against teams from other public high schools in Colorado. Coach Fifer decided to let Donna play on the team. She was the only girl whom Coach Fifer allowed to participate.

Donna took part in all of the conditioning drills and exercises at the team's practice sessions. She also played in junior varsity games, which were unofficial contests between the same schools whose varsity teams competed against each other. Donna was the only girl who played in these junior varsity games. Although she once collided with a much larger player and was stunned, she was never seriously injured in any games or practices.

One day the princial of Golden High School went to Coach Fifer and told her to cut Donna from the soccer team. He said that Donna's participation violated a rule of the Colorado High School Activities Association (of which Golden High School was a member). According to the Association's rule, "because inordinate injury risk jeopardizes the health and safety of the female athlete, participation in soccer is limited to members of the male sex." The principal explained to Coach Fifer that if Donna was not dropped from the team, Golden High School would not be allowed to compete in the state championship program.[2]

Questions for Discussion:

1. How is this case similar to Karen O'Connor's? How is it different?

2. Like Karen O'Connor, Donna claimed that the Association's rule denied her equal protection of the laws as guaranteed by the Fourteenth Amendment. What facts support Donna's argument?

3. The Fourteenth Amendment does not prohibit all discrimination - just unfair or unreasonable discrimination. How might the Association argue that its rule did not unfairly discriminate against girls who wanted to participate in interscholastic soccer competition?

4. Do you think Donna should be permitted to play on the varsity soccer team? Why or why not?

[1] O'Connor v. Board of Education of School District 23, 449 U.S. 1301 (1980), on remand 545 F. Supp. 376 (N.D. Ill. 1982).

[2] Hoover v. Meiklejohn, 430 F. Supp. 164 (D. Colo. 1977).

LESSON TITLE: "A Case of Equal Pay"

INTENDED GRADE LEVEL: Grade 8

BEST OBJECTIVE 4: Recognize that in the United States some limits are placed on individual rights and freedoms for the purpose of protecting the interests of society and the rights of other citizens.

GOAL: Students will be able to analyze a situation wherein two rights conflict and be able to identify competing interests.

MATERIALS:

- Copy of wording from the Equal Pay Act (Appendix)
- Copy of abbreviated "Bence vs. Detroit Health Corporation" court case (On following page)
- Courts and Trials text

PROCEDURE:

(1) Review court process from Lesson 20 - 21 in Courts and Trials.

(2) Distribute copies of court case.

(3) Read and discuss the case in accordance with questions.

Questions for Discussion

(1) If you were representing the female health spa employees in this case, how would you argue that they were discriminated against in violation of the Equal Pay Act?

(2) What arguments could you make for the Detroit Health Corporation? Are there any factors other than the employees' sex that might have gone into the Detroit Health Corporation's decision to pay male employees at a higher rate? If so, what are they?

(3) Do you think that the Detroit Health Corporation discriminated against the female employees unfairly? Explain your answer.

"A CASE OF EQUAL PAY"

BENCE vs. DETROIT HEALTH CORPORATION

The Detroit Health Corporation ran a chain of health spas. These spas were divided into a men's division and women's division which operated on different days. Male employees ran the men's division and female employees ran the women's division. Managers of the divisions were paid according to the number of spa memberships they sold to people. Male managers were paid at a rate 50% higher than that of female managers. However, female managers sold 50% more memberships than men. In the end, the total amount of wages earned by males and females with the same jobs was about equal, although the women made more sales than the men did.

The women employees felt that this was sex discrimination. They argued that the different rates of pay violated the Equal Pay Act.* This federal law requires an equal rate of pay for equal work. The Detroit Health Corporation disagreed. It explained that it paid the different rates so that men and women would be paid about the same wages for the same work performed.

*29 U.S.C. section 206 (d) (1)

EQUITY

IN

CONTENT

AREAS

NEWSPAPER ACTIVITY 1

LESSON TITLE: "Unfair Treatment Under Law"

INTENDED GRADE LEVEL: Grade 6 - 8

BEST OBJECTIVE 1: Understand what the term "democracy" refers to and understand basic democratic values, such as liberty, equality, justice, rule of law, peace and order, and consent of the governed.

GOAL: Enable students to identify examples of values that have been denied or violated.

MATERIALS:

- Chart
- Pen, paper
- Newspaper
- Activity book for Missouri BEST - Government/Economics Objectives

PROCEDURE:

(1) Ask students to bring in news article(s) (or select from classroom set of papers) in which they felt a person did not receive fair treatment based on gender.

(2) Discuss the article(s) and have students, individually, in small groups, or as a class fill in the chart.

Value denied or violated	Possible cause(s)	Likely consequences	Proposed Remedy

(3) Make a class display of the chart and add to it as other articles are located.

*Adapted from Lesson 22 of Activity Book For The Basic Essential Skills Test: Government/Economics

COUNSELOR'S LESSON

LESSON TITLE: "Who Will You Hire?"

INTENDED LEVEL: Grade 6

BEST OBJECTIVE 2: Understand the processes of making enforcing, and interpreting law in the United States.

GOAL: To develop the understanding that people in different settings create rules for different reasons.

MATERIALS:

- Lawmaking text
- Pen, paper
- Newspaper (classified section)

PROCEDURE:

(1) Review Lawmaking - Lesson 2-4 on working rules and fairness of rules. Discuss rules students would employ if they could hire persons for a job.

(2) Select seven students who will be on the Hiring Board for screening applicants for the head of a recreation park.

(3) Select two students to play the role of applicants.

MS. AGNES DOBRATZ

She is very experienced in recreation work. She has done this kind of work for the past five years and has excellent letters of recommendation from previous employers. She is a very fair person and always listens to both sides of any argument. She believes that everyone should be included in activities at the park. She is very strict about care of a park and of the playing equipment. She will enforce serious punishment for any vandalism.

MR. HAROLD CLAYPOOL

Mr. Claypool is also very experienced in recreation work and has excellent letters of recommendation. He is a very friendly person and likes to join in activities. He doesn't worry much about the equipment and says he believes in letting people do whatever they want. He doesn't like to get involved in settling disputes.

(4) The board decides on questions to ask applicants, interviews them, and recommends the person to be hired.

(5) The rest of the class discusses fairness of questions; the equity in hiring; why they think a particular person was chosen; whom they would select and why.

FOLLOW-UP:

Individuals or groups select classified job ads from paper and write up a resume for a qualified person.

*Adapted from Law, Youth and Citizenship, Program of New York State Bar Association and the New York State Education Department.

ECONOMICS

LESSON TITLE: "Pay Equity"

INTENDED GRADE LEVEL: Grade 6-8

BEST OBJECTIVE 9: Understand and be able to apply basic information about how the government functions in the U.S. economy.

EQUITY OBJECTIVE: To make students aware of equal pay for equal work concept.

GOAL: To enable students to use rational thought processes about economic decisions.

MATERIAL:

- "Pay Equity" handout (reproduced from following page)
- Pen, pencil
- Chalkboard

PROCEDURE:*

(1) Discuss career choices with students and list various jobs on the board.

(2) Distribute the "Pay Equity" sheets and discuss the work each job entails.

(3) Have students fill in the "woman's pay" and "man's pay" boxes according to their own decisions.

(4) Discuss the students' answers by asking the following questions.

(a) Is the woman's pay the same as the man's pay? Why or why not?

(b) How much is the difference in the pay?

(c) Is the salary for the woman "fair" or "unfair?" Is the salary for the man "fair" or "unfair?"

(d) How does "equity" apply to the salaries that each person makes?

(5) Provide students with the correct answers listed after the follow-up and review questions "a" and "b".

(6) Review accompanying news article and discuss what students think will occur in the court rehearing.

(7) Research the case study and analyze the facts of the case.

FOLLOW-UP:

(1) Send the "Pay Equity" sheet home, ask students to fold back last two columns and get an adult household member to fill in the chart. Return the sheet to class for discussion of reasons for adults answers.

"PAY EQUITY"

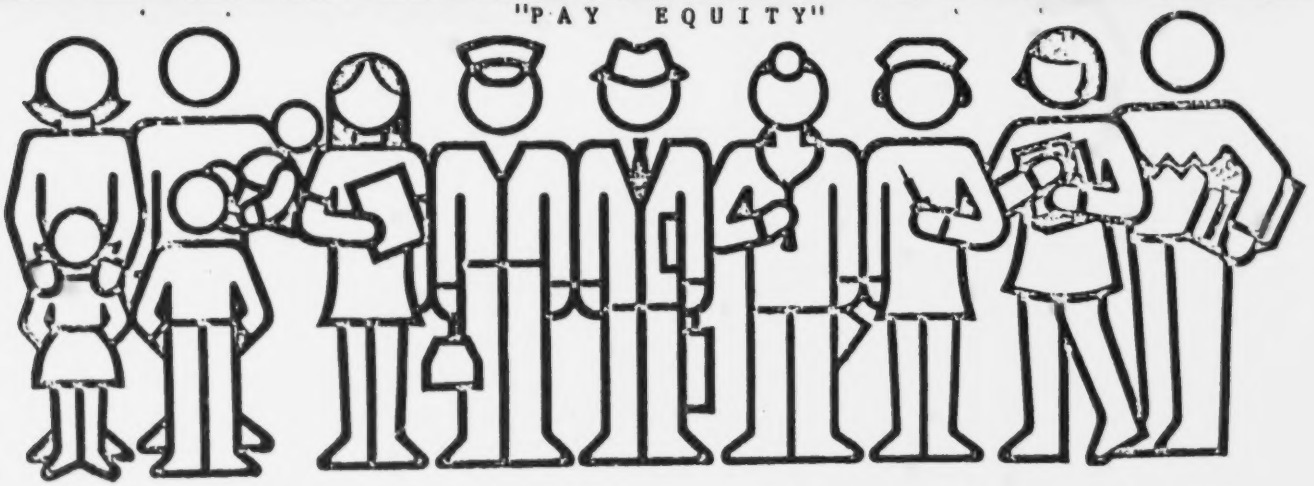
AVERAGE WEEKLY EARNINGS IN JOBS (ANSWERS)

(1982 Salaries)

Job	Male Earnings	Female Earnings
(1) Engineer	547	371
(2) Lawyer	579	410
(3) Scientist	512	363
(4) Administrator/Manager	466	283
(5) Salesworker	368	190
(6) Bookkeeper	320	222
(7) Waiter, Waitress	200	144
(8) Health Service Worker	216	185
(9) Guard (security)	236	214

*LESSON MAY REQUIRE 2-3 CLASS PERIODS

"PAY EQUITY"



NAME _____ SCHOOL _____ GRADE ____ HMRM. _____

JOB	WOMAN'S PAY	MAN'S PAY	Household Member		Correct Response	
			WOMAN	MAN	WOMAN	MAN
(1) Engineer						
(2) Lawyer						
(3) Scientist						
(4) Administrator/ Manager						
(5) Salesworker						
(6) Bookkeeper						
(7) Waiter, Waitress						
(8) Health Service Worker						
(9) Guard (security)		48				

Suit Claiming Sex Bias In Pay Returns To Court For Rehearing

SACRAMENTO, Calif. (AP) — A woman who is challenging Allstate Insurance Co.'s policy of basing starting salaries on prior pay says she was frustrated by earning less than men doing the same job.

"There's nothing that's more discouraging than finding yourself working harder, selling more and making less than the person standing next to you," Lola Hogan said Tuesday in the first day of a federal court retrial of her suit.

Ms. Hogan, a former Allstate agent who sued in 1977 under her former married name of Kouba, is representing about 2,500 past and present agents of Allstate, the nation's second-largest personal insurance carrier.

The case also could affect other businesses that consider employees' prior salaries in setting pay levels.

The trial marks the second time the case has been before U.S. District Judge Lawrence Karlton. He ruled in 1981 that Allstate could not rely on prior salaries to determine new sales agents' pay unless it determined that disparities in prior pay were not caused by sexual discrimination.

But the 9th U.S. Circuit Court of Appeals reversed Karlton's ruling in 1982, saying prior salaries could be used to set pay levels if motivated by reasonable business practices. The appeals court sent the case back to Karlton for another trial.

The Allstate policy is "a pretext for either a market-rate analysis or for some deliberate sex discrimination," said Ernest Beale, lawyer for two current Allstate agents from Fort Wayne, Ind., who have joined the suit.

A market-rate policy — justifying different salaries for men and women, or for blacks and whites, in the same job on the ground that they command different pay levels in the market — has been ruled illegal.

Allstate lawyer Calvin Grove said the company policy "has absolutely nothing to do with sex" and "involves a great deal of discretion" by sales managers.

Ms. Hogan went to work for Allstate in November 1974 for $825 a month. That was to continue during training and serve as a base for commissions.

She said she had been told that all new agents make the same, but soon found that newly hired men, doing the same job, were getting $1,000 a month.

One of the Fort Wayne women, Sharon Stewart, testified about the negotiations that led to her being hired in 1980 at a minimum salary of $15,600 a year. She has told interviewers she learned later that newly employed men who were selling less were making about $9,000 a year more.

ST. LOUIS POST DISPATCH
5/17/84

LESSON TITLE: "Title IX Says . . . . "

INTENDED GRADE LEVEL: Grade 6, 7, 8

OBJECTIVE: To encourage students to write more clearly and interpret legal statements.

MATERIALS:

- Title IX statute
- Lawmaking text - Lesson 2
- Student Guide to Title IX

PROCEDURE:

(1) Review Lesson 2 in Lawmaking text to ascertain qualities of a workable rule or law

(a) well-written

(b) clear, understandable

(c) able to be followed

(d) able to be enforced

(e) not go against another rule

(f) have a penalty

(2) Study text of Title IX statute.

(3) Choose a paragraph and have students rewrite it in simplest English possible without changing its meaning.

(4) Exchange edited paragraph with a classmate's and discuss the two. Did rewriting the law change it? Does it abide by all qualities of a workable law?

FOLLOW-UP:

(1) Imagine you're a member of Congress writing a law about schools treating girls or women fairly. How would you write the law?

APPENDIX

Public Law 92-318
92nd Congress, S. 659
June 23, 1972

An Act

TITLE IX—PROHIBITION OF SEX DISCRIMINATION

SEX DISCRIMINATION PROHIBITED

SEC. 901. (a) No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance, except that: Exceptions.

(1) in regard to admissions to educational institutions, this section shall apply only to institutions of vocational education, professional education, and graduate higher education, and to public institutions of undergraduate higher education;

(2) in regard to admissions to educational institutions, this section shall not apply (A) for one year from the date of enactment of this Act, nor for six years after such date in the case of an educational institution which has begun the process of changing from being an institution which admits only students of one sex to being an institution which admits students of both sexes, but only if it is carrying out a plan for such a change which is approved by the Commissioner of Education or (B) for seven years from the date an educational institution begins the process of changing from being an institution which admits only students of only one sex to being an institution which admits students of both sexes, but only if it is carrying out a plan for such a change which is approved by the Commissioner of Education, whichever is the later;

(3) this section shall not apply to an educational institution which is controlled by a religious organization if the application of this subsection would not be consistent with the religious tenets of such organization;

(4) this section shall not apply to an educational institution whose primary purpose is the training of individuals for the military services of the United States, or the merchant marine; and

(5) in regard to admissions this section shall not apply to any public institution of undergraduate higher education which is an institution that traditionally and continually from its establishment has had a policy of admitting only students of one sex.

(b) Nothing contained in subsection (a) of this section shall be interpreted to require any educational institution to grant preferential or disparate treatment to the members of one sex on account of an imbalance which may exist with respect to the total number or percentage of persons of that sex participating in or receiving the benefits of any federally supported program or activity, in comparison with the total number or percentage of persons of that sex in any community, State, section, or other area: *Provided*, That this subsection shall not be construed to prevent the consideration in any hearing or proceeding under this title of statistical evidence tending to show that such an imbalance exists with respect to the participation in, or receipt of the benefits of, any such program or activity by the members of one sex.

(c) For purposes of this title an educational institution means any public or private preschool, elementary, or secondary school, or any institution of vocational, professional, or higher education, except that in the case of an educational institution composed of more than one school, college, or department which are administratively separate units, such term means each such school, college, or department. Definition.

14th Amendment
Equal Protection Clause

Prohibits states from drawing
UNREASONABLE distinctions
between different classes of persons

- Guarantees no state can deprive any person of life, liberty or property without due process
- Defines citizenship to include all those born and naturalized in the U.S.
- Prevents states from making laws which infringe on a citizen of the U.S.

The right to vote cannot be denied on account of:

19th Amendment

- SEX

Equal Pay Act

Prohibits discrimination on the basis of

- SEX

in wages and fringe benefits by any employer in the United States.

Title VII

Prohibits discrimination on the basis of

- Race
- Color
- National origin
- Sex
- Religion

against employees by any employer in the United States who employs 15 or more people. This also includes employment agencies and labor unions.

TITLE IX CASES

The following cases are all recent sex discrimination complaints taken from the government's Title IX enforcement files.* They may be used for lesson expansions in Courts and Trials on:

(1) resolving conflicts

(2) the court system

(3) due process in courts

(4) fair and unfair decisions.

CASE A

A school district segregates physical education classes by sex. The course schedule is set-up so Girl's P.E. conflicts with General Shop.

CASE B

In its junior and senior high school handbooks, a district explains three extra-curricular clubs. Two are oriented toward the home and community service. These are open to girls. The third club, for boys only, promotes leadership, citizenship and careers in farming.

CASE C

Alleging she'd been selected for a transfer because of her race and sex, a female art teacher filed a civil suit and the transfer was blocked by court order. After she complained, her photography classes were assigned to a male teacher. She was assigned courses no one else wanted to teach. Though her students often won awards, they were no longer allowed to take part in art contests. Other teachers began to avoid her. No one would let her into the locked supply room to get materials. An obituary for someone of the same name was left on her desk, along with a punctured tube of etching acid.

CASE D

A school makes 5th grade girls take a class about human sexuality and development. No comparable class is offered to 5th grade boys.

CASE E

An elementary school won't let girls and boys use the jungle gym and other playground equipment at the same time. It also segregates elementary and junior high students who ride the bus by sex. Girls load first and sit on the right; boys sit on the left.

CASE F

A school requires 7th and 8th grade students to take one semester of either home economics or industrial arts. The courses are open to both sexes. Students and parents are advised to consider post-graduation plans before deciding which class to take. Nevertheless, no boys enroll in home economics and only a few girls choose industrial arts. In effect, then, these classes are still segregated by sex.

*Opinions may be compared with government response to cases on next page.

Office of Civil Rights Findings

TITLE IX CASES

CASE A

*OCR investigated and found the district was segregating P.E. classes and, because of its class schedule, keeping 9th grade girls out of the General Shop class. Both these practices violate Title IX. The district agreed to change its policies before the next school year.

CASE B

When OCR reported its preliminary findings, the district agreed to integrate its after-school clubs and change other discriminatory policies about course availability and after-school activities. It also promised to notify students and parents of these changes and delete the references to students' gender in its handbooks. OCR said it would monitor the district's compliance and reopen the case if promises weren't kept.

CASE C

OCR examined school and district employment records and found that there was no evidence of discrimination against these groups. OCR therefore ruled the teacher's transfer was valid. The office then investigated the retaliation charges. They found that the reassignment of photography classes was an act of retaliation because the district could offer no reasonable explanation for it. However, there was no overwhelming evidence to support the other charges of retaliation. OCR had no authority to investigate the obituary notice incident, or others like it, because the school couldn't be held responsible for such acts. Since the state Civil Rights Commission had already forced the school to reassign the photography classes, OCR dismissed the remainder of the complaint.

CASE D

Under Title IX, though both sexes must have access to comparable classes about all subjects, courses dealing with human sexuality need not be integrated. The school announced it would offer a Human Growth and Development class to 5th and 6th grade boys. This brought the district into compliance and OCR closed the case.

CASE E

As soon as the complaint was filed, the district changed its playground policy so all students could use the same equipment at the same time. The district argued that sex segregation on the bus was instituted because of complaints about hair-pulling, teasing and fighting. OCR decided that the bus rule was reasonable and comparatively unimportant and found the district in compliance with Title IX.

CASE F

OCR's investigation revealed no evidence of discrimination. The district was doing everything it could to encourage non-traditional vocational education. Student choices were based on community attitudes, not district policy. Noting the district's concern about these attitudes, OCR recommended that officials contact experts for assistance.

Adapted from "Bill of Right in Action", September 1983

*OCR-Office of Civil Rights

References

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Beyond The Easy Answer; Richard Weintraub and Richard Krieger; Zenger Publications, Culver City, California; 1978.

Building Instruction Around Sex Equity (BIAS)Trainer's Manual Inservice Workshop; Northwest Regional Educational Laboratory Center for Sex Equity; Portland, Oregon.

Classrooms and Community: Using Community Resources In The Consumer Education Curriculum; Urban Consumer Education Project, St. Louis Public Schools; 1981.

Law In Action Series: Lawmaking, Juvenile Problems and the Law, Courts and Trials; Riekes-Ackerly; West Publishing Company, St. Paul, Minnesota; 1980.

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- Home Activities Packet, 1983
- A Packet of Elementary Classroom Activities To Teach Students About Sex Role Stereotyping, 1982
- A Packet of Secondary Classroom Activities To Teach Students About Sex Role Stereotyping, 1983
- Guidelines for Eliminating and Preventing Sex Discrimination, 1976

Sex Equity Ideabook for District of Columbia Public Schools; Grady, Greenberg and Strauss,Educational Equity Institute, American University; Washington, D.C.; 1980.

Bill of Rights in Action: An Equal Action; Publication of Constitutional Rights Foundation; "Fair or Foul," pp. 2, 31; September, 1983.

Update on Law-Related Education; American Bar Association; "Women and the Law" pp. 12-13.

RESOURCE MATERIALS

There are a number of resources, activities, and suggestions available to promote a sex fair or sex affirmative atmosphere in your classroom and they're free for the asking in many cases or at just a nominal fee. The addresses for the resources that I contacted most often are given below. A request for materials on sex equity will produce fruitful results.

National Women's History Project
P.O. Box 3716
Santa Rosa, CA 95402

Northwest Regional Educational Laboratory
Center for Sex Equity
300 S.W. Sixth
Portland, Oregon 97204

Michigan Department of Education
Office for Sex Equity in Education
P.O. Bos 30008
Lansing, Michigan 48909

Midwest Sex Desegregation Assistance Center
College of Education
Bluemont Hall
Manhattan, KS 66506

U.S. Commission on Civil Rights
Washington, D.C. 20425

For more information on Project Equity, contact:

Dolores B. Malcolm,
State and Federal Programs
St. Louis Public Schools
5183 Raymond
St. Louis, MO 63113
(314) 361-5500